

# PESTICIDE USE COMPLIANCE GUIDE FOR EMPLOYERS AND BUSINESSES

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## Introduction

The Pesticide Use Compliance Guide for Employers and Businesses is provided by the Department of Pesticide Regulation (DPR) to inform users, growers, pest control businesses, and farm labor contractors of their responsibilities. You should use this guide when developing your pesticide use and fieldworker safety programs and keep it with your safety program records.

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## Why should I read this?

California law requires that workers who handle pesticides or work in fields that have been treated with pesticides must be protected from pesticide hazards. To do this, employers must make sure their employees know about pesticide safety laws and regulations and that their workers comply with these rules.

When employers or pesticide users don't follow the rules, workers, the public, and the environment are put at risk. Not obeying the law can also result in:

- Fines of up to \$5000 per violation
  - Suspension or revocation of professional licenses or restricted material permits
  - Civil or criminal prosecution
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## Questions

If you want more information or have questions about pesticide safety requirements, you should contact your County Agricultural Commissioner (CAC), who oversees pesticide use locally. You can contact your CAC at:

You may also contact a Department of Pesticide Regulation (DPR) regional office at:

Sacramento – (916) 324-4100

Fresno – (559) 243-8111

Anaheim – (714) 279-7690

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# PESTICIDE USE COMPLIANCE GUIDE FOR EMPLOYERS AND BUSINESSES

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## About this guide

This guide is designed to help you obey the rules by giving you an overview of pesticide laws and regulations. We have divided the guide into chapters that focus on the type of use and the type of business being conducted:

Chapter 1 describes rules that apply to all pesticide users. This includes use in homes, schools or offices, as well as on farms or by pest control businesses.

Chapter 2 contains general standards that apply to employers of pesticide workers such as training, hazard communication, and medical planning.

Chapter 3 explains the employer's responsibilities regarding the use of personal protective equipment (PPE).

Chapters 4 and 5 address the additional requirements that apply to growers that employ handlers and fieldworkers respectively.

Chapters 6 and 7 look at the additional requirements that apply to pest control businesses and farm labor contractors.

Chapter 8 provides a table that outlines the provisions under which employees may enter a treated field during a restricted entry interval.

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# PESTICIDE USE COMPLIANCE GUIDE FOR EMPLOYERS AND BUSINESSES Continued

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**Code references** Throughout this guide, you will see references to specific laws and regulations. Food and Agricultural Code (FAC) is where the laws passed by the Legislature are codified. Title 3 of the California Code of Regulations (3CCR) is where you can find most of the regulations that spell out detailed rules outlined in the laws. You can review these laws and regulations on DPR's Website, <http://www.cdpr.ca.gov/>, click on "Legislation" or "Regulations."

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**Pesticide Use and Schools (Education Code section 17608 – 17613) (FAC section 13180 – 13188)** The Healthy Schools Act of 2000 put into place a number of posting and notification requirements when performing pest control in and around schools. For more information, go to DPR's School IPM Web site, <http://www.schoolipm.info/>, then click on "Laws and Regulations", then click on "What's mandatory, What's voluntary".

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**Definitions (3CCR section 6000)** The following terms and their meanings are provided to help you understand the information provided in this guide.

<b>Assure</b>	To take all reasonable measures necessary to make a behavior, activity, or event happen.
<b>Closed System</b>	A procedure for removing a pesticide from its original container, rinsing the emptied container and transferring the pesticide product, mixtures, dilutions and rinse solution through connecting hoses, pipes, and couplings that are sufficiently tight to prevent exposure of any person to the pesticide or rinse solution.
<b>Display</b>	To make information available to the employee so he or she may readily see and read the document, during normal business hours, without having to make a specific request of any person. The employee must have unimpeded access to the information.
<b>Handle</b>	<ul style="list-style-type: none"><li>• Mixing, loading transferring, applying (including chemigation) or assisting with an application of pesticides, <b>OR</b></li><li>• Servicing, repairing or handling contaminated equipment, <b>OR</b></li><li>• Incorporating pesticides into soil or entering treated area during an application or before inhalation hazard requirements are met, <b>OR</b></li><li>• Performing crop advisor activities in treated fields.</li></ul>

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# PESTICIDE USE COMPLIANCE GUIDE FOR EMPLOYERS AND BUSINESSES, Continued

(3CCR section 6000) (continued)

<b>Hazard Communication</b>	Information required to be displayed or maintained before employees handle pesticides or whenever employees are working in treated fields. Hazard communication information includes: <ul style="list-style-type: none"> <li>• Display of DPR Pesticide Safety Information Series (PSIS) leaflets A-8 or N-8 for handlers and PSIS A-9 for fieldworkers,</li> <li>• Pesticide use records, and</li> <li>• Material safety data sheets (MSDS) maintained at a central location.</li> </ul>
<b>Operator of the Property</b>	The person who owns the property and/or is legally entitled to possess or use the property through terms of a lease, rental contract, trust, or other management arrangement.
<b>Personal Protective Equipment (PPE)</b>	The apparel and devices worn to minimize human body contact with pesticides or pesticide residues that must be provided by an employer and are separate from, or in addition to, work clothing.

<b>PSIS</b>	Pesticide Safety Information Series, a series of leaflets published by DPR that summarize health and safety aspects of various pesticides or groups of pesticides for employees. They are available in English and Spanish and distributed by the CAC. They can also be downloaded by DPR's Web site, <a href="http://www.cdpr.ca.gov/">http://www.cdpr.ca.gov/</a> , click on "Compliance Information for Employers."
<b>Regularly Handle</b>	Means the employee is handling pesticides during any part of the day for more than 6 calendar days in any 30 consecutive day period beginning on the first day of handling. If an employee regularly handles pesticides labeled "Danger or Warning", it triggers requirements for medical supervision and an area to change clothes. Any day an employee mixes or loads using a closed mixing system or water-soluble packets only are exempt from these requirements provided the employee has established a baseline blood cholinesterase level under the employer's medical supervision program.
<b>REI</b>	Restricted entry interval: the period after a pesticide application during which entry into the treated area is restricted. Durations of REIs are found on pesticide labeling and in regulations.
<b>Treated Field</b>	A production agricultural area has been treated with a pesticide or had a REI in effect within the last 30 days. Includes associated roads, paths, ditches, borders, and headlands if the pesticide was directed to those areas.

# Chapter 1. What All Pesticide Users Must Know and Do

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## Introduction

Pesticide requirements vary, depending on whether you handle pesticides; enter fields treated with pesticides, or employ persons who do these things. The rules we describe on the next two pages apply to everyone who uses pesticides

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## Labeling on Site (3CCR section 6602)

Pesticide labeling is your primary source of how to use the product correctly, safely, and legally. A copy of the registered labeling allows the manner in which the pesticide is being used must be available at each use site. This includes the container labeling, along with any applicable supplemental label, Special Local Need label, or Section 18 emergency exemption directions.

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## Conflict with Labeling (FAC section 12973)

It is a violation of State and federal law to use a pesticide in conflict with the registered labeling. Users must read and comply with all instructions and precautions on the labeling. The precautions must always be followed, but there are a few situations where you can use pesticides in a manner different than the instructions.

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## Exceptions to Conflict with Labeling (3CCR section 6000)

These exceptions to container labeling, Special Local Need, and supplemental labeling instructions are allowed. (The exceptions do not apply to Sec. 18s.):

- You may mix a pesticide with another pesticide, or with a fertilizer, if the label does not expressly prohibit such mixture.
- You may increase the concentration (decrease the diluent) of a pesticide mixture, provided it corresponds with the current published guidelines of the University of California. These guidelines are available from their Statewide Integrated Pest Management Project, One Shields Avenue, Davis, California 95616, or online at <http://www.ipm.ucdavis.edu/>.
- You may:
  - Decrease the dosage rate, concentration or frequency of applications listed unless prohibited by the label.
  - Use a pesticide to control a pest not listed on the label, \* or
  - Use a method of application not described on the label, as long as you follow all site, rate, pre-caution, and other labeling directions. \*

\*These exceptions do not apply if use on the unnamed pest or the method used is specifically prohibited by the label.

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# Chapter 1. What All Pesticide Users Must Know and Do

Continued

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## **Service Containers** (3CCR section 6678)

Any pesticide container other than the original labeled container, must be labeled with:

- Name and address of the person or firm responsible for the container,
- Name of the pesticide, and
- Signal word (*Danger, Warning, Caution*) from the original container.

This requirement does not apply to growers on the property they are farming.

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## **Prohibited Containers** (3CCR section 6680)

Pesticides must **never** be placed in or kept in any container that is commonly used for food or drink. It is not only against the law, but very dangerous. Each year, people are poisoned drinking or eating from food containers in which someone carelessly stored pesticides.

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## **Notification** (3CCR section 6618)

Any person that makes a pesticide application must provide notice to the operator of the property, *before* the application.

The property operator must in turn assure that notice is given to any persons who are on the treated property, or who are likely to enter it when any entry restrictions are in effect. The notice must be in a form and language the person(s) can understand and include:

- The date of the application,
- The brand name or common chemical name of the pesticide, and
- All precautions to be observed, as specified on the pesticide labeling or included in applicable laws or regulations.

Notification requirements for growers are more comprehensive. See **Notification** in Chapter 5 *What Growers Must Do to Protect Fieldworkers*.

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# Chapter 1. What All Pesticide Users Must Know and Do

Continued

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## **Drift Prevention, Protection of Persons, Animals and Property**

(FAC section  
12972, 3CCR  
section 6614)

Before making an application-and throughout the application process-applicators are responsible for evaluating their equipment, weather conditions, the property to be treated and surrounding properties, to determine the likelihood of harm or damage.

No application may be made or continued when there is a reasonable possibility of substantial drift to non-target areas or:

- Contamination of the bodies or clothing of persons not involved in the application process;
  - Damage to non-target crops, animals or other public or private property; or
  - Contamination of public or private property, including the creation of a health hazard that prevents normal usage of that property.
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## **Restricted Materials**

(3CCR section  
6400 – 6412)

A pesticide is classified as a restricted material if it requires special handling because of its toxicity or potential effects on the environment. Restricted materials may only be purchased or applied by trained, certified applicators or those under their direct supervision.

There are two types of restricted materials:

- Federally restricted use pesticides – These pesticides can be easily identified, as the labels will prominently state *Restricted Use Pesticide*.
  - California restricted use pesticides – These pesticides are listed in regulation. They include various uses of pesticide, all Section 18 uses, and some federally restricted materials. Like federal restricted use pesticides, they can only be purchased and used by trained, certified applicators or those under their direct supervision. In addition, purchasers must obtain a site-specific permit from the CAC. The Commissioners may impose special conditions on use.
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## Chapter 2. What All Employers Must Know and Do

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### **Basic Responsibility** (3CCR section 6702)

Employers must comply with rules designed to protect their workers, the public, and the environment from potential adverse effects of pesticides used.

The employer must:

- **Know** the label and regulatory requirements for the safe use of pesticides.
  - **Inform** their employees, in a language they understand, about:
    - The pesticides being used
    - The hazards involved
    - The precautions and work practices to follow to be safe
  - **Supervise** their employees to assure all safety requirements are followed.
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### **Hazard Communication** (3CCR section 6723, 6723.1, 6761, 6761.1)

Employers must provide their workers with information about pesticides. Employer must display for workers a copy of one of the DPR PSIS leaflets, A-8, N-8 or A-9 depending on whether the worker is a handler in agricultural or non-agricultural settings or a fieldworker. Before displaying, employers must write in information regarding emergency medical care, the location of pesticide use records and MSDS in the spaces provided on the leaflets. Agricultural production operations also require the location of employee pesticide exposure records, the application-specific information display and, when appropriate, the medical supervision records be listed on the PSIS A-8.

This table outlines the kind of information t an employer must convey, where the information must be located, and how it must be made available to employees.

Information	Where	How
For ag handlers – PSIS A-8	Central location	Display
For non-ag handlers – PSIS N-8	Central location	Display
For Fieldworkers – PSIS A-9	Work site*	Display
Pesticide use records	Central location	Accessible upon request
MSDS	Central location	Accessible upon request

\*If fieldworkers gather at a central location before transportation to the worksite, the A-9 may be displayed at the central location.

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## Chapter 2. What All Employers Must Know and Do Continued

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### **Safe Equipment** (3CCR section 6742)

All application equipment must be maintained and inspected before use. All necessary repairs must be made before use. In addition:

- Tanks on pesticide equipment must have secure covers to prevent spills.
  - All hoses that are to carry pesticides with *Danger* or *Warning* on the label must have shutoff devices or a reverse-action pump.
  - All mix-load and application tanks over 49 gallons must be equipped with a sight gauge or an automatic shut-off device.
  - Flexible hoses that carry pesticides with *Danger* or *Warning* on the label through the cockpit of a plane or helicopter must be shielded.
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### **Who is Qualified to Train Handler Employees**

The following persons can train handler employees:

1. California certified commercial or private applicators
  2. Licensed Pest Control Advisors
  3. Registered Professional Forester
  4. A farm advisor employed by the U.C. Extension Office
  5. Persons who have a valid County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring
  6. Persons who have completed an “instructor trainer” program presented by:
    - U.C. Integrated Pest Management Program.
    - Other instructor-training program approved by DPR.
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### **Training Records** (3CCR section 6724)

The employer must maintain a written training program that describes the materials used to train his or her employees and identifies the person that provides the training.

The employer must maintain training records for each employee that handles pesticides. The records must contain the date and extent of initial and subsequent training, verified by the employee’s signature and accessible at a central location. The records must be maintained for two years. Forms for documenting your training program can be obtained from the CAC or on the DPR Website, <http://www.cdpr.ca.gov/>, click on Compliance Assistance.

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## Chapter 2. What All Employers Must Know and Do Continued

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### **Handler Training** (3CCR section 6724)

Employees must be trained before handling pesticides. Training must be continually updated to cover any new pesticides before handling and repeated at least every 12 months. Certified applicators are considered trained.

The training must be performed by a qualified person and cover the following for each pesticide handled:

- Information on the pesticide label concerning human health effects.
- Hazards of the pesticide, including acute and long-term effects.
- Pesticide poisoning symptoms and routes pesticides can enter the body.
- Emergency first aid and how to get emergency medical care.
- Routine and emergency decontamination procedures.
- Need for, limitations, use, and cleaning of PPE.
- Prevention, recognition and first aid for heat-related illnesses.
- Safe procedures for handling pesticides, including engineering controls.
- Environmental concerns, such as drift and runoff.
- Warnings against taking pesticides home.
- Regulatory requirements, including MSDS and PSIS.
- Purpose and requirements of medical supervision, when applicable.
- Location of hazard communication information.
- Employee rights.

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### **Change Area** (3CCR section 6732)

A change area is where employees end their exposure period and can change clothes and wash themselves. It must have clean towels, soap, sufficient water and a clean, pesticide-free storage location for employees' personal clothing.

The employer must provide a change area for any employees that regularly handle *Danger* or *Warning* pesticides.

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## Chapter 2. What All Employers Must Know and Do Continued

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### Decontamination Facilities

(3CCR section 6734)

Employers are required to provide and maintain facilities for routine and emergency decontamination for employees that handle pesticides. It must contain:

- Clean potable water (the water must be of a quality and temperature that will not cause illness or injury)
- Soap
- Single-use towels and
- One pair of clean coveralls

The facility must contain these items in quantities sufficient to allow routine washing of the hands and face, as well as emergency eye flushing and emergency washing of the entire body.

This is where decontamination facilities must be located, based on the type of handling being performed:

Who	Facility Location
Non-ag and non-production ag handlers of <i>Danger</i> or <i>Warning</i> pesticides	Within 100 feet of the mix/load site
All ag handlers (except pilots)	At the mix/load site <u>and</u> within 1/4 mile of handlers
Pilots	At the loading site

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### Emergency Medical Care

(3CCR section 6726)

Employers must plan for emergency medical care for employees *before* they handle pesticides. The employer must post at the work site or in the work vehicle the name, address, and telephone number of a facility where emergency medical care for pesticide exposure is available. The employer must also inform employees of the name and location of the facility.

When an exposure occurs, or if there are reasonable grounds to suspect that an employee has a pesticide illness, the employer must ensure that the employee is immediately transported to a physician.

## Chapter 3. What Employers Need to Know About Personal Protective Equipment (PPE)

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### **Basic Responsibility** (3CCR section 6738)

Employers must assure that for handlers or for early entry fieldworkers:

- Personal protective equipment (PPE) is available at the work site.
  - Employees wear PPE appropriately.
  - PPE is cleaned and inspected daily. The employee must not take PPE home to clean it. Cleaning is the employer's responsibility.
  - Worn, damaged, or heavily contaminated equipment is repaired or replaced.
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### **Engineering Controls** (3CCR section 6738(i))

Engineering controls (such as closed systems, enclosed cabs and water-soluble packets) are non-PPE devices used to reduce handler exposure. Handlers may substitute certain engineering controls for some PPE. See PSIS A-3 for further explanation of engineering controls and allowed substitutions.

The employer must inspect closed systems and enclosed cabs before use, maintain them according to the manufacturer's instructions, and keep orderly records of the maintenance performed. The employer must also assure that all required PPE is kept immediately available to the employee.

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### **What PPE is Required?**

Employers must assure their employees use all PPE required on the labeling of each pesticide handled. Additionally, employers must assure employees comply with the following eye and hand protection, coveralls and chemical resistant clothing regulatory PPE requirements, even if not required by the labeling.

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## Chapter 3. What Employers Need to Know About Personal Protective Equipment (PPE) Continued

### Eye Protection (3CCR section 6738)

The pesticide label may specify what type of eye protection is required. If the label does not specify a particular type of eye protection it can include:

- Safety glasses (with front, brow and temple protection),
- Goggles,
- Face shield, or
- A full-face mask as part of respiratory protection.

*Note:* Regular eyeglasses or sunglasses do not qualify as required eye protection.

In addition to label requirements, employees are required to wear eye protection when:

- Mixing or loading pesticides.
  - Performing ground applications, except when:
    - Injecting or incorporating pesticides into the soil,
    - Working in an enclosed cab, or
    - Spray nozzles are located below the applicator and pointed downward.
  - Performing hand application except for:
    - Application of vertebrate bait or use of solid fumigants, or
    - Baiting insect monitoring traps or applying non-insecticidal lures.
  - Adjusting, cleaning or repairing pesticide-handling equipment.
  - Flagging, except when in an enclosed cab.
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**Hand  
Protection  
(3CCR section  
6738)**

Gloves must be worn when:

- Required by the pesticide label
- Mixing and loading except for *Caution* pesticides when using a closed system
- Performing all hand application activities (except vertebrate pest control using long-handled tools), or
- Adjusting, cleaning, or repairing contaminated equipment.

Gloves must be chemical-resistant. Often labeling will specify the type of glove that is resistant to the pesticide being used. If the labeling does not require a specific type of glove, then gloves made of rubber, neoprene or other chemical-resistant material must be used.

Gloves must be replaced or washed every day. It is especially important that gloves be washed on both the inside and the outside, since residue can accumulate inside. Employees must not use gloves made of leather or cotton, or gloves with cloth linings unless expressly permitted by the pesticide label.

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**Glove Liners**

Flocked or lined gloves are prohibited but disposable separate glove liners are allowed under certain conditions to make wearing chemical-resistant gloves more comfortable.

The use of glove liners is allowed only when the following conditions are met:

- Pesticide product labeling does not prohibit the use of glove liners
- Glove liners must be separable from the chemical-resistant glove
- Liners must not extend outside of the chemical-resistant glove
- Liners must be discarded at the end of each workday
- Liners must be discarded immediately if directly contacted by the pesticide

Contaminated liners must be disposed of in accordance with federal, state, or local regulations.

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**Coveralls  
(3CCR section  
6736)**

Employers must provide clean coveralls daily to employees that handle *Danger* or *Warning* pesticides and assure they are worn.

## Chapter 3. What Employers Need to Know About Personal Protective Equipment (PPE) Continued

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### **Respiratory Equipment** (3CCR section 6738 3CCR section 67398)

When respiratory protection is required by the label, restricted material permit condition, regulation, or the employer you must have written procedures for selecting, fitting, cleaning, and maintaining the equipment. Before employees can use a respirator the employer must determine that the employee has no medical condition that could be aggravated by respirator use. Respiratory protection is more fully explained in PSIS A-5, available from your CAC or from DPR's Web site.

When employers provide respirators or allow employees to use their own respirators on a voluntary basis the employer must:

- Determine that such respirator use will not in itself create a hazard and
- Provide respirator users with training on the proper use, limitations, and hazards associated with the use of respirators.
- Provide for cleaning, maintenance, and proper storage of the respirator.

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### **Chemical-Resistant Clothing** (3CCR section 6738)

Pesticides with increased hazards require the use of chemical-resistant suits, footwear, head covering, and/or apron. However, in warm weather, this kind of PPE may cause heat stress. Therefore, use of pesticides that require chemical-resistant suits is prohibited if the temperature is above 80°F during the day or 85°F at night, unless employees are provided with cooled chemical suits.

Some engineering controls can be substituted for chemical-resistant clothing. (See PSIS A-3).

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## Chapter 4. What Growers Must Do to Protect Handlers

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### **Production Agriculture**

In addition to requirements presented in previous sections, the following requirements apply to employers engaged in production agriculture or research related to production agriculture. Production agriculture includes farms, ranches, greenhouses, forest, and nurseries. It does not include the production of livestock, poultry, or fish.

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### **Working Alone** (3CCR section 6730)

An employee mixing, loading, or applying a pesticide with signal word *Danger* must have personal, radio, or telephone contact with an adult assigned contact responsibilities, at least every two hours during the day and every hour at night.

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### **Closed Systems** (3CCR section 6746)

“Closed system” means a procedure for removing a pesticide from its original container, rinsing the emptied container and transferring the pesticide product, mixtures, dilutions, and rinse solution through connecting hoses, pipes, and couplings that are sufficiently tight to prevent exposure of any person to the pesticide or rinse solution.

Employees who mix and load liquid pesticide products or liquid mixtures of pesticide products with the signal word *Danger* or any minimal exposure pesticide (See PSIS-10) must use a closed system.

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### **Shut-Off Device** (3CCR section 6793)

When loading pesticides with the signal word *Danger* or *Warning*, the loading hose must have a shut-off device on the end to prevent spills when the hose is removed from the application vehicle tank.



## Chapter 4. What Growers Must Do to Protect Handlers

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### **Use Records** (3CCR section 6626)

Growers must submit detailed information on pesticides used on agricultural crops to the CAC each month. For information and the required forms, contact your CAC.

### **Handler Exposure Records** (3CCR section 6728)

The employer must maintain records of employee exposure whenever they mix, load, or apply organophosphate or N-methyl carbamate pesticides that have the signal word *Danger* or *Warning* on the label. For each person, these records must show the name of the pesticide and the date of the exposure. A form for keeping these records is available on the DPR Website, <http://www.cdpr.ca.gov/>, click on Compliance Assistance.

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### **Medical Supervision** (3CCR section 6728)

Employers must provide medical supervision for employees, including periodic cholinesterase blood tests, if:

- Your employee(s) mix, load, or apply organophosphate or N-methyl carbamate pesticides that have the signal word *Danger* or *Warning*,
- The pesticides are used on agricultural crops, and
- Your employee(s) use these pesticides for more than 6 days in a 30-day period.

DPR PSIS A-11 (available from your CAC or from DPR's Website) provides more information on medical supervision requirements.

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## Chapter 5. What Growers Must Do to Protect Fieldworkers

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### Basic Responsibility

Whether a grower employs fieldworkers directly, or through a farm labor contractor, the grower is responsible for providing a safe workplace.

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### Notification (3CCR section 6618)

Growers must notify employees and contractors who may enter or walk within a quarter mile of a field where a pesticide will be applied or where a restricted entry interval (REI) is in effect. The warning must include:

- Location and description of the treated area.
- The duration of the REI.
- Instructions not to enter the treated field until the REI expires.

Instead of the oral warning, the farmer may post the treated field unless the label requires both oral warnings and field posting. See **Posting** section.

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### Fieldworker Training (3CCR section 764)

Fieldworkers must be given training before working in treated fields and be retrained every five years. The training must be in a language they understand and provided by a qualified person. The training must include:

- Importance of routine washing after exposure
- The meaning of posting and REIs
- Where exposure to pesticides might occur
- Routes of exposure
- Acute and long-term effects of pesticides
- Symptoms of overexposure
- First aid and where to get emergency medical care
- Warnings against taking pesticides home
- The hazard communication program
- Rights of employees to receive information and to be protected from retaliation for exercising these rights

Workers have the right to receive information about pesticides to which they may be exposed. This information must also be provided to employee representatives and physicians upon request. It is against the law to fire or take retaliatory action against employees for exercising their rights.

The following persons are qualified to train fieldworkers:

- Anyone qualified to train handlers. (See page 9.)
  - Persons that hold any valid license or certificate issued by DPR.
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## Chapter 5. What Growers Must Do to Protect Fieldworkers

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### **Hazard Communica- tion for Fieldworkers** (3CCR section 6761)

Growers must display a copy of the PSIS A-9 at the worksite whenever their employees are working in a treated field. Growers must fill in information on emergency medical care, the location of your application-specific information display, MSDS, and pesticide use records in the spaces provided. When contracting with farm labor contractors (FLC), make sure the location of your application-specific information display and other records are documented on the FLC's PSIS A-9 displayed at the worksite.

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### **Decontamination Facilities for Fieldworkers** (3CCR section 6768)

Whenever fieldworkers are engaged in activities involving contact with treated surfaces in treated fields, the employer must provide clean, potable water, soap, and single-use towels sufficient for hand-washing and emergency eye flushing. The facility must be located within a quarter mile of the workers.

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### **Posting** (3CCR section 6776)

The grower must assure that warning signs are posted around fields before an application in these situations:

- When pesticide labeling requires posting
- Any greenhouse application
- Any application that has a label or regulatory restricted entry interval REI greater than seven days
- Any application of a *Danger* or minimal exposure pesticide through an irrigation system
- Any application of a fumigant

Warning signs shall not be posted more than 24 hours before an application and must be removed within three days after the REI expires.

Warning signs must comply with regulatory requirements for placement, shape, size, and content of the sign, and the size of the lettering. There are different content requirements for signs for different types of applications. The following types of applications each have specific content requirements:

- Chemigation
- Fumigation
- Pesticides with REIs of seven days or less
- Pesticides with REIs of more than seven days.

See 3CCR 6776 for more information, or contact your CAC.

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## Chapter 5. What Growers Must Do to Protect Fieldworkers

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**Application-Specific Information**  
(3CCR section 6723.1, 6761.1)

Growers must display the following information whenever handlers or fieldworkers are working within a quarter mile of any treated field on their property.

- Location of the treated area.
- Time and date of application.
- Restricted entry interval (REI)
- Pesticide names, active ingredients and U.S. EPA registration numbers.

The information must be displayed within 24 hours of the completion of an application and remain in place for 30 days after the expiration of any REI. Forms for displaying this information are available on the DPR website.

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**Restricted Entry Interval Adjustments**  
(3CCR section 6774)

The following adjustment must be made to the regulatory REIs listed in 3CCR Section 6772: When two or more organophosphates are applied, use the longest REI plus 50% of the next longest REI.

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**Early Entry Requirements**  
(3CCR section 6771)

Generally, employees must be kept out of fields during an REI. There are exceptions for specific tasks (see Early Entry Restrictions Table, page 23), but additional precautions must be taken to protect workers.

**Inform**

Before an employee can enter a field during a restricted entry interval REI to perform an allowed task, you must ensure that they are informed of the requirements on the label relating to:

- Health hazards and first aid
- Symptoms of poisoning
- Use of required PPE
- Symptoms and first aid for heat-related illness
- The need for washing after leaving the treated area.

**Provide**

The employer must provide early-entry workers with:

- PPE required for early entry by the label and regulation (at a minimum, work clothing with long sleeves and full leg coverage, shoes, socks, and gloves).
  - One pint of water for eye flushing immediately accessible for each employee, if the pesticide label requires eye protection.
  - A clean change area for workers with soap, water, and towels.
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## Chapter 6. What Pest Control Businesses (PCB) Must Know and Do

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### Basic Responsibility

When working in agricultural production, pest control businesses (PCBs) are responsible for complying with the following requirements as described in chapter 4, *What Growers Must Do to Protect Handlers: Closed system, Use and handler exposure records, Working alone, Medical supervision*

In addition, pest control businesses have the responsibilities outlined below.

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### Posting (FAC section 12973, 3CCR section 6600(b))

If warning signs are required, the grower is responsible for posting them. However, it is illegal for a PCB to begin an application before the warning signs have been posted.

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### Notice (3CCR section 6616, 6618)

Before any pesticide is applied, applicators must obtain consent from and provide notice to the operator of the property being treated. For agricultural production applications, the notice must include:

- The time and location of the application
- The name, registration number and active ingredient of the pesticide
- Precautions to be observed
- The REI and any posting requirement

Communication between PCBs and their clients is vital to assure that people are protected from pesticide hazards. All workers need to be adequately informed of potential hazards, particularly workers entering adjacent fields during or following an application.

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### Notice of Completion for Agricultural Production Applications (3CCR section 6619)

In addition to the notice before an application, a pest control business PCB must provide a notice of completion to the grower within 24 hours after an application. This notice must include:

- The location of the treated site, including the site I.D. number and acreage treated
- The pesticide(s) applied
- The date and hour the application was completed
- Any applicable REI and preharvest intervals

The PCB must maintain a written record for two years of each completion notice that includes when and how it was delivered.

## Chapter 7. What Farm Labor Contractors Must Know and Do

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### **Basic Responsibility**

The farm labor contractor (FLC) must work in close communication with the grower to assure that fieldworker employees are protected from and are adequately informed of potential pesticide hazards. In addition to the requirements below, FLCs are responsible for complying with the following requirements as described in Chapter 5. *What Growers Must Do to Protect Fieldworkers: Notification, Training, Decontamination facilities and Early entry requirements.*

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### **Licensing and Registration** (Labor Code section 1695)

FLCs must be licensed and must register annually with the CAC in each county in which they work. FLCs must carry their license and proof of registration.

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### **Hazard Communica- tion** (3CCR section 6761)

FLCs must display a completed copy of the PSIS A-9 at the work site whenever fieldworkers are working in a treated field. FLCs must make sure the location of the grower's application specific-information display and other records is accurately documented on the PSIS A-9 displayed at the worksite. FLCs must inform their employees they and their representatives have a right to this information and are protected against discharge or discrimination for exercising those rights.

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### **Emergency Medical Care** (3CCR section 6766)

The employer (FLC) must plan for emergency medical care for employees before they enter treated fields. The employees or their supervisor shall be informed of the name and location of a facility where emergency medical care for pesticide exposure is available. When an exposure occurs, or if there are reasonable grounds to suspect an employee has a pesticide illness, the employer must ensure the employee is immediately transported to a physician.

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### **Field entry** (3CCR section 6769.6770, 6771, 6776)

Except in accordance with early-entry requirements and restrictions (see Early Entry Restrictions on the next page) employers must assure that workers do not enter a field:

- That is being treated,
  - During a restricted entry interval REI, or
  - That is posted.
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## Chapter 8. Early Entry Restrictions

**Entry During a REI** The table below outlines when employees may enter a field during a restricted entry interval, and the rules that must be followed.  
(3CCR section 6770, 6771)

Who is allowed to enter a field while a restricted entry interval (REI) is in effect?	Restrictions
<p><b>Handling</b></p> <p>Employees conducting pesticide-handling activities, including soil incorporation (mechanical or watered-in).</p>	<p>Must wear personal protective equipment (PPE) required on the pesticide label for handling activities.</p>
<p><b>No contact</b></p> <p>Employees involved in activities in which there will be no contact with anything that has been treated (e.g. operating a tractor from an enclosed cab).</p>	<p>Inhalation exposure must not exceed any pesticide product labeling standard, or for greenhouses, the ventilation criteria in 3 CCR, Section 6769, must have been met.</p>
<p><b>Limited contact</b></p> <p>Employees involved in limited contact activities (including limited contact irrigation) that are necessary and unforeseen.</p>	<p>Only if all of these apply:</p> <ol style="list-style-type: none"> <li>1. The REI is not for a pesticide with the label requirement for both oral notification and posting.</li> <li>2. At least 4 hours have elapsed since the end of the application.</li> <li>3. Inhalation exposure does not exceed the pesticide product labeling standard, or the ventilation criteria in 3 CCR, Section 6769, have been met.</li> <li>4. Exposure is minimal and limited to the feet, legs (below the knees), hands, and forearms (below the elbows).</li> <li>5. The PPE specified on the pesticide label for early entry, or the optional personal protective equipment of coveralls, socks, chemical-resistant footwear, chemical-resistant gloves, and protective eyewear (if required by the pesticide label) is used.</li> <li>6. Worker spend no more than 8 hours in any 24-hour period in fields under an REI.</li> <li>7. The employees are informed that this exception is being used and about the provisions of 2, 3, and 6.</li> </ol>
<p><b>Other activities</b></p> <p>Employees involved in other activities not described above, and that do not involve hand labor.</p>	<p>Only if all of these apply:</p> <ol style="list-style-type: none"> <li>1. At least 4 hours have elapsed since the end of the application.</li> <li>2. Inhalation exposure does not exceed the pesticide product label standard, or ventilation criteria in 3 CCR Section 6769 are met.</li> <li>3. The PPE specified on the pesticide label for early entry is used.</li> <li>4. Entry does not exceed one hour in any 24-hour period.</li> </ol>

## **Appendices to Compliance Guide for Employers and Businesses - Forms**

**Pesticide Handler Training Program – Safety Training Record  
(English and Spanish)**

**Medical Supervision Program – Employee Pesticide Use Record**

**Fieldworker Safety Training Record  
(English and Spanish)**

**Medical Supervision Program – Medical Supervision Written Agreement**

**Written Training Program form**

**Letter of Authorization**

**Application Specific Information Display Chart**

**Application Specific Information Display Chart, abbreviated**